

**REMARKS/ARGUMENTS**

Claims 4-8 and 10-30 have been canceled. Thus, Claims 1-3 and 9 remain pending in the application. Claims 1-3 and 9 have been amended. Applicant respectfully requests entry of these amendments since Applicant believes the amendments place the application in condition for allowance.

In the above referenced Office Action, the Examiner rejected Claims 1, 2, 3, 6, 9 and 10 under 35 U.S.C. § 102(b) as being anticipated by Zhu (U.S. Patent No. 6,133,079). In addition, the Examiner rejected Claims 4, 7 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Zhu in view of Merrill (U.S. Patent No. 5,610,433).

Since Claims 4, 6, 7, 10 and 11 have been canceled, the rejection of these claims is moot. However, in light of the above amendments, the remaining rejections are traversed and, as such, the Applicant respectfully requests reconsideration of the allowability of Claims 1-3 and 9.

In particular, Applicant has amended independent Claim 1 to recite: “An on-chip inductor consisting of: a dielectric layer; a conductive winding on the dielectric layer; a P-well having a major surface parallel to a major surface of the dielectric layer; and a substrate having a major surface parallel to the major surface of the dielectric layer”

In addition, Applicant has amended independent Claim 9 to recite: “An on-chip inductor consisting of: a dielectric layer; a conductive winding on the at least one dielectric layer; a field oxide layer having a major surface parallel to a major surface of the dielectric layer; and a substrate having a major surface parallel to the major surface of the dielectric layer.”

Moreover, Applicant has amended previously dependent Claim 2 to now be an independent claim. For example, Claim 2 now recites: “An on-chip inductor consisting of: a dielectric layer; a conductive winding on the dielectric layer; a P-well having a major surface parallel to a major surface of the dielectric layer; a field oxide having a

major surface that is juxtaposed to the major surface of the P-well; and a substrate having a major surface parallel to the major surface of the dielectric layer.”

Dependent Claim 3 has also been amended to now recite: “The on-chip inductor of claim 1 wherein: the conductive winding is a spiral winding.” Therefore, dependent Claim 3 now only further limits independent Claim 1 and does not add any element to Claim 1.

As such, each of the independent Claims 1, 2 and 9 is now a proper “consisting of” claim in that no dependent claims add any elements thereto, as suggested by the Examiner. Applicant respectfully requests the Examiner to evaluate independent Claims 1, 2 and 9 in accordance with MPEP 2111.03, which states that the transitional phrase “consisting of” excludes any element, step, or ingredient not specified in the claim.

As Applicant previously argued, since Claims 1 and 9, and now Claim 2, each include the transitional phrase “consisting of,” these Claims exclude elements other than those specifically recited.

Zhu teaches a reduced capacitance inductor as shown in Figures 4-7 and described in column 4, line 33, through column 5, line 33. As shown in Figure 4 and described in the corresponding text, the inductor region 22 includes an inductor coil 60 (which is formed on second and third metallization layers 57 and 59), a first IMD (inter-metal dielectric) 55, a second IMD 58, an ILD (inter-layer dielectric) 52, a FOX (field oxide) layer 50, a p-well 28, an n-region 24, and a substrate 20.

Thus, the inductor of Zhu, to achieve lower capacitance, includes multiple dielectric layers (IMD 1, IMD 2, and ILD), a field oxide layer (FOX), a p-well 28, and an n-region 24. Since Zhu’s inductor, which includes more elements (as listed above) than that of any of Claims 1, 2, 4 and 9, Zhu does not anticipate the inductor of Claims 1, 2 and 9.

For the foregoing reasons, Applicant respectfully submits that independent Claims 1, 2 and 9 (and all claims dependent therefrom) are in condition for allowance. Accordingly, Applicant respectfully requests that the Examiner withdraw the §102 rejections of Claims 1-3 and 9.

### **CONCLUSION**

As a result of the foregoing, the Applicant asserts that the remaining Claims in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Garlick Harrison & Markison Deposit Account No. 50-2126 (Ref. BP2108).

Respectfully submitted,

Date: February 10, 2010

/Holly L. Rudnick/Reg. No. 43,065

Holly L. Rudnick  
Attorney for Applicant

**Garlick Harrison & Markison**

P.O. Box 160727  
Austin, TX 78716-0727  
(214) 387-8097/office  
(214) 387-7949/facsimile